

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO

IN RE:

MULTISPECIALTY DEVELOPMENT CORP

Debtor

CASE NO. 12-07918 (EAG)

CHAPTER 11

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APPLICATION FOR APPOINTMENT OF ATTORNEY FOR DEBTOR

TO THE HONORABLE COURT:

COMES NOW Debtor through its undersigned counsel and very respectfully alleges and requests:

1. On October 4, 2012, Debtor filed its petition for reorganization under the provisions of 11 U.S.C. Chapter 11 of the Bankruptcy Code.
2. Debtor is not sufficiently familiar with the law to be able to plan and conduct the proceedings herein without competent legal counsel.
3. In selecting such counsel, Debtor has made careful and diligent inquiry into the qualifications and connections of Charles A. Cuprill, P.S.C., Law Offices, and has found said law firm and its members to be duly qualified to represent Debtor in these proceedings by reason of their ability, integrity and professional experience.
4. Debtor has retained Charles A. Cuprill, P.S.C., Law Offices ("Cuprill"), as its counsel in these proceedings subject to the approval of this Court in accordance to Rule 2014 of the Federal Rules of Bankruptcy Procedure, on the basis of a \$25,000.00 retainer, against which the law firm will bill on the basis of \$350.00 per hour, plus expenses, for work performed or to be performed by Charles A. Cuprill-Hernández, Esq., \$225.00 per hour for any senior associate, \$150.00 per hour for junior associates, and \$85.00 for paralegals, upon application(s) and the approval of

the Court. These rates are considered to be reasonable and fair, in line with services comparable to those performed on behalf of other clients. Upon the exhaustion of the retainer, the billing will continue, as aforesated and any compensation will be processed through the pertinent application(s) to be filed with the Court.

5. Cuprill is a disinterested entity as defined in 11 U.S.C. §101(14), since Cuprill and its members:

- (A) Are not Debtor's creditors, equity security holders or insiders;
- (B) Are not and were not, within two years before the date of the filing of the petition directors, officers or employees of the Debtor.
- (C) They do not have an interest materially adverse to the interest of the estate or of any class of creditors or equity security holders, by reason of any direct or indirect relationship to, connection with, or interest in, the Debtor.

6. Cuprill nor its members have other prior connections with the Debtor, its officers, directors and insiders, any creditor, or other party in interest, their respective attorneys and accountants, the United States Trustee or any person employed in the office of the United States Trustee.

7. The Bankruptcy Code, 11 U.S.C. §327(a) provides that:

- (a) Except as otherwise provided in this section, the trustee<sup>1</sup>, with the court's approval, may employ one or more attorneys, accountants, appraisers, auctioneers, or other professional persons, that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist the trustee in carrying out the trustee's duties under this title.

This section authorizes the debtors-in-possession, subject to the Court's approval, to employ professional persons, such as attorneys, accountants,

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<sup>1</sup> To be understood as debtor-in-possession.

appraisers, auctioneers, engineers and accountants, to represent or perform services for the estates. House Report Number 95-595, 95th. Congress, First Sess. (1977) 328.

8. 11 U.S.C. §328(a) provides:

"The trustee, or a committee appointed under section 1102 of this title, with the court's approval, may employ or authorize the employment of a professional person under section 327 or 1103 of this title, as the case may be, on any reasonable terms and conditions of employment, including on a retainer, on an hourly basis, or on a contingent fee basis. Notwithstanding such terms and conditions, the court may allow compensation different from the compensation provided under such terms and conditions after the conclusion of such employment, if such terms and conditions prove to have been improvident in light of developments not capable of being anticipated at the time of the fixing of such terms and conditions."

9. In compliance with 11 U.S.C. §§327, 329, and 504(b)(1) and Rules 2014 and 2016(b) of the Federal Rules of Bankruptcy Procedure, a certificate executed by Charles A. Cuprill-Hernández, principal of Charles A. Cuprill, P.S.C., Law Offices, and copy of his curriculum vitae, are accompanied with this Application as Exhibits A and B.

WHEREFORE, it is respectfully requested that this Court enter an order allowing Charles A. Cuprill, P.S.C. Law Offices, to represent Debtor in the instant case as of September 28, 2012, with interim compensation to be paid as allowed at sixty-day intervals, pursuant to 11 U.S.C. §§327, 330, 1104 and 1106.

#### NOTICE

#### TO PARTIES IN INTEREST:

Within fourteen (14) days after services as evidenced by the certification, and an additional three (3) days pursuant to Fed.R.Bank.P. 9006(f) if you were served by mail, any party against whom this Application has been served, or any party to

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the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this Application with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the Application will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

San Juan, Puerto Rico, this 23<sup>rd</sup> day of October, 2012.

**MULTISPECIALTY DEVELOPMENT CORP.**



**ALVARO REYMUDE**  
President

**CERTIFICATE OF SERVICE:** I hereby certify that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF systems which will send notification of such filing to the Office of the United States Trustee, and all CM/ECF participants.

San Juan, Puerto Rico, this 23<sup>rd</sup> day of October, 2012.

**s/ CHARLES A. CUPRILL-HERNANDEZ**  
**USDC-PR 114312**

Charles A. Cuprill, P.S.C., Law Offices  
356 Fortaleza Street - Second Floor  
San Juan, PR 00901  
Tel.: 787-977-0515  
Fax: 787-977-0518  
E-Mail: [ccuprill@cuprill.com](mailto:ccuprill@cuprill.com)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO

IN RE:

MULTISPECIALTY DEVELOPMENT CORP.

Debtor

CASE NO. 12-07918(EAG)

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CERTIFICATE OF PROPOSED ATTORNEY FOR DEBTOR

I, CHARLES A. CUPRILL-HERNÁNDEZ, do hereby certify under penalty of perjury that to the best of my knowledge, information and belief the following is true and correct:

1. I am an attorney and counselor-at-law, and the principal of CHARLES A. CUPRILL, P.S.C., LAW OFFICES ("Cuprill"), fully admitted to practice in the Commonwealth of Puerto Rico and in this Court.

2. Said law firm maintains an office for the practice of law at 356 Fortaleza Street, Second Floor, San Juan, Puerto Rico, 00901, which is both its physical and postal address; Tels. (787) 977-0515 to 977-0517; Fax No. (787) 977-0518.

3. As of September 28, 2012, Cuprill has agreed to represent Debtor in these proceedings, as more particularly set forth in paragraph four (4) of Debtor's application for appointment of attorney, subject to the approval of this Court.

4. To the best of my knowledge, the members of Cuprill, are disinterested persons, as defined in 11 U.S.C. §101(14) since:

(A) They are not Debtor's creditors, equity security holders or insiders;

(B) They were not and are not within 2 years before the date of the filing of Debtor's petition, a directors, officer or employees of the Debtor.

(C) They do not have an interest materially adverse to the interest of the estate or of any class of creditors or equity security holders, by reason of any direct or indirect relationship to, connection with, or interest in, the Debtor or for any other reason.

5. To the best of my knowledge, neither I nor the members of Cuprill have any other connections with the Debtor, its officers, directors and insiders, any creditor, or other party in interest, their respective attorneys and accountants, the United States Trustee or any person employed in the office of the United States Trustee.

6. The source of the compensation promised to Cuprill shall be from Debtor's operations and from such funds as may be available to Debtor from third parties and to which Debtor may be legally entitled.

7. Debtor has retained Cuprill, as its attorneys in these proceedings subject to the approval of this Court in accordance to Rule 2014 of the Federal Rules of Bankruptcy Procedure, on the basis of a \$25,000.00 retainer, against which the Cuprill will bill on the basis of \$350.00 per hour, plus expenses, for work performed or to be performed by the undersigned, \$225.00 per hour for any senior associate, \$150.00 for junior associates, and \$85.00 per hour for paralegals, upon application(s) and the approval of the Court, rates which are considered to be reasonable and fair, in line with services comparable to those performed on behalf of other clients. Upon the exhaustion of the retainer, the billing will continue, as

aforestated and any compensation will be processed through the pertinent application(s) to be filed with the Court.

8. There are no agreements on the part of Cuprill, for the sharing of any compensation or reimbursement received or to be received under 11 U.S.C. §§330(a) and 503(b) (2), or otherwise in connection with this case, nor will it share in any such compensation or reimbursement received by another person under such sections, except the customary payments to members, partners and regular associates of the firm.

9. I will amend this statement immediately upon learning that (a) any of the representations made herein are incorrect, or (b) there is any change of circumstances relating thereto.

10. I have reviewed the provisions of Local Bankruptcy Rule 2016-1.

11. I declare under penalty of perjury that the foregoing is true and correct, as provided in 28 U.S.C §1746.

San Juan, Puerto Rico, this 23<sup>rd</sup> day of October, 2012.

s/ CHARLES A. CUPRILL-HERNANDEZ  
USDC-PR 114312  
Charles A. Cuprill, P.S.C., Law Offices  
356 Fortaleza Street - Second Floor  
San Juan, PR 00901  
Tel.: 787-977-0515  
Fax: 787-977-0518  
E-Mail: [ccuprill@cuprill.com](mailto:ccuprill@cuprill.com)

**EXHIBIT B**

**CHARLES A. CUPRILL-HERNÁNDEZ**

**356 Fortaleza**

**San Juan, PR 00901**

**Tel. 787-977-0515 / Fax. 787-977-0518**

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**BIRTH**

Ponce, Puerto Rico, June 23, 1943

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**EDUCATION**

<b>U.S. Army, Judge Advocate General's School, The Judge Advocate General's Corps, Charlottesville, VA</b>	
Law of Military Installations Course	<b>1972</b>
Labor Law Course	<b>1970</b>
Procurement Law Course	<b>1969</b>
Judge Advocate General's Basic Course	<b>1969</b>
 <b>University of Puerto Rico</b> <i>Juris Doctor</i>	 <b>1968</b>
 <b>University of Puerto Rico</b> <i>B.A., Magna Cum Laude.</i>	 <b>1965</b>

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**EXPERIENCE**

**Private Legal Practice:**

General practice of civil law (family law, inheritance, torts and contracts), corporate, administrative and bankruptcy law.

<b>Charles A. Cuprill, P.S.C.</b>	<b>2000-present</b>
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**Law Offices**

356 Fortaleza  
San Juan, PR 00901

<b>Charles A. Cuprill-Hernández</b>	<b>1979-2000</b>
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**Law Offices**

Torre de Oro Build. Suite 201  
5 Las Américas Avenue  
Ponce, PR 00731  
Tel. 787-840-5146  
Fax 787-842-5146

<b>Cuprill, Pérez-Reilly &amp; Díaz-García</b>	<b>1976-1979</b>
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**Law Offices**

T-1 15th Street  
Jardines Fagot  
Ponce, PR 00731

Partner

<b>Charles A. Cuprill-Hernández</b>	<b>1975-1976</b>
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**Law Offices**

#70 Concordia Street  
Ponce, PR 00731

<b>Cuprill, Cuprill &amp; Cuprill</b>	<b>1972-1975</b>
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#70 Concordia Street  
Ponce, PR 00731

Partner



**Puerto Rico State Guard** 1978  
Lieutenant Colonel

**Deseret Test Center, Dugway Proving Ground,  
Dugway, Utah** 1970-1972  
Captain, U.S. Army, Judge Advocate General's Corps, Staff  
Judge Advocate to the Commanding General

Assistant Staff Judge Advocate 1969-1970

Legal assistance, processing of claims against the service,  
prosecution and defense of criminal cases, administrative  
law matters, government contracting and military affairs.

**Other:**

**University of Puerto Rico, Ponce Regional College** 1973-1975  
Social Sciences Professor

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**ADMISSIONS**

U.S. Court of Appeals for the Fourth Circuit	2003
U.S. Tax Court	1997
District of Columbia Court of Appeals	1983
U.S. Court of Claims	1976
U.S. Supreme Court	1976
U.S. District Court for the District of Puerto Rico	1969
U.S. Court of Appeals for the First Circuit	1969
U.S. Court of Military Appeals	1969
Supreme Court for the Commonwealth of Puerto Rico	1968
Notary Public	1973

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**PROFESSIONAL ASSOCIATIONS**

Bar Association of the Commonwealth of Puerto Rico  
Bar Association of the District of Columbia  
American Bar Association  
American College of Trial Lawyers

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**LICENSES**

Licensed as a horseowner and trainer in Pennsylvania, Delaware  
and Maryland.

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**ACTIVITIES AND AWARDS**

Owner together with spouse of thoroughbred  
breeding and racing operation at Woodvale Farm,  
Route 472 South, Lewisville, Pennsylvania

*Pennsylvania Leading Breeders Award* 1992, 1993  
1994, 1996, 2000

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**ACTIVITIES AND AWARDS (Cont.)**

<i>Outstanding Breeders Award</i> of the Thoroughbred Owners & Breeders Association for Pennsylvania	<b>1992, 1994</b>
Distinguished Military Student	<b>1965</b>
Distinguished Military Graduate	<b>1965</b>
Army Commendation Medal	<b>1972</b>

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**MEMBERSHIPS**

Member of Committees for the Selection of Bankruptcy Judges for the District of Puerto Rico, appointed by the Chief Judge, U.S. Court of Appeals for the First Circuit	
Rules Committee, United States Bankruptcy Court for the District of Puerto Rico	
Director, Corporation for the Development of the Ponce, Puerto Rico Foreign Trade Zone (CODEZOL)	<b>1995-1997</b>
Director, Pennsylvania Horse Breeders Association	<b>1995</b>
Director, The Fair Hill Condominium Association, Elkton, Maryland	<b>1990-1999</b>
Director, Equus Entertainment Corporation	<b>2000-2005</b>

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**FAMILY**

Spouse: María Luisa Monserrate Matienzo  
Children: María Luisa Cuprill Monserrate  
Natalie Marie Cuprill Monserrate

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**REFERENCES****Corporate clients**

A. Cordero Badillo, Inc.  
A.F. Agricultural Corp.  
A+ HC Holding, Inc.  
Abislaïman e Hijos Corp. d/b/a Joyeria Riviera  
Abraham Petroleum, Corp.  
Advance Cardiology Center Corp.  
Advanced Computer Technology  
Almacenes Linda, Inc.  
American Foreign Trading & Union Oil Service Limited  
American Foreign Underwriters Corporation  
Antilles Cement, Inc.  
Berwind Realty, Inc.  
Blanco Vélez Stores, Inc.  
Caminos Del Sol, SE  
Carabel Export & Import, Inc.  
Cayo Largo Hotel Associates S. en C. por A., S.E.  
Certenejas Incorporado

Comagro, S.E.  
Compresores Y Equipos, Inc.  
Construction Engineering, SE  
Constructora Hato Rey, Inc.  
Costa Bonita Beach Resort, Inc.  
Cousins International Food Corp.  
D.M.I. Property Management Corp.  
Damas Hospital, Inc.  
Droguería Central, Inc.  
El Embarcadero, Inc.  
Emérito Estrada Rivera-Isuzu de P.R., Inc.  
Empresas Interex, Inc.  
Empresas Master  
Empresas Omajede, Inc.  
Farmacia La Salud  
Federación de Maestros de PR, Inc.  
Fernández Moledo, Inc.  
Freedom Pharmacy, Inc.  
Haras Santa Isabel, Inc.  
Hatimed Ambulance Service, Corp.  
HI Development Corp.  
Hospital Damas, Inc.  
Hypercad Consulting Group, Inc.  
Industrias Vassallo, Inc.  
Instituto de Banca y Comercio, Inc.  
JC Kadima, Corp.  
JM Development  
JMR Development Corp  
JMR Tourist Development Corp.  
Johnny Rockets of Puerto Rico, Inc.  
Jonathan Corp.  
Lausell, Inc.  
Mar-Land Industrial Contractors  
Merial IA, LLC  
Monticielo, SE  
Pavía Health Management  
Pichi's, Inc.  
Plaza Borinquen, Inc.  
Plaza Caché, Inc.  
PMC Marketing, Corp.  
Puerto Rican Cement, Inc.  
Redondo Construction Corporation  
Rojoazul Hotel, Inc.  
Sanang Corp.  
Servicio De Descuento En Compra, Inc. SEDECO  
Silvernugget Development Corp.  
Sucesión Font  
Sunrise Partners LLP  
Swiss Chalet, Inc.  
Tourism Development Company  
Trebol Motors Corporation  
Trebol Motors Distributor Corporation  
YMAS Inventory Management, Corp.